

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20445

Re: MB Docket No. 04-160
Comment on satellite radio's broadcasting of local weather and traffic.

Dear Ms. Dortch:

A promise made appears to be a promise not kept! Satellite radio has gone local.

When the Federal Communications Commission granted licenses for satellite radio, the FCC relied on the express promises by XM Radio Inc. ("XM") and Sirius Satellite Radio Inc. ("Sirius") that their service would be national-only. National programming only, no local programming. Thus local broadcasters would not be harmed.

Now XM and Sirius have blatantly broken their promises, launching localized traffic and weather service in the top 21 markets. That is tantamount to lying to the FCC!

This is only the beginning. It is clear from the comments filed by XM and Sirius in opposition to the National Association of Broadcasters (NAB) petition seeking a Declaratory Ruling to stop satellite radio's broadcasting of local weather and traffic that the sky is literally the limit – with technology to continue to "localize" their services they can make their formats virtually indistinguishable from local radio.

Without FCC intervention, two companies – *yes, TWO companies* – with 120 channel each, will reach into every market and try to mimic what local broadcasters do.

We are Clear Channel radio's Cincinnati, Ohio stations – WLW-AM, WCKY-AM, WKRC-AM, WSAI-AM, WEBN-FM, WKFS-FM, WOFX-FM and WVMX-FM. We serve the Greater Cincinnati-Northern Kentucky metropolitan area with news, traffic and weather 24/7. WLW alone provides comprehensive news, weather and traffic reports on the hour and half-hour 24-hours a day and during morning and afternoon drive-times, traffic and weather airs every 10 minutes. The others stations provide more than their share of information for the listening public.

How much does this cost us? \$1,149,763 a year. News expense - \$605,260. Airborne traffic expense - \$441,503. Weather service - \$100,000.

Yet this is just the tip of the local services that we provide to Greater Cincinnati – Northern Kentucky. We inform the public on local issues that affect our daily lives, promote community events and countless causes, raise funds for charitable and service organizations: The United Way, Free Store/Food Bank, Hoxworth Blood Bank, Coalition for Drug Free Greater Cincinnati, etc., plus personal appearances by station personalities at neighborhood events, school functions, churches, service organizations, etc.

This is emblematic of the local service provided by local radio stations every day all over the country. Last year alone local broadcasters gave \$9.6 billion to their local communities.

Satellite Radio does not have public interest limits or ownership limits. They have no *local investment* in their communities.

The FCC, in authorizing satellite radio, vowed to protect “vibrant local broadcasting”, and promised to take “any necessary action to safeguard the important service that terrestrial radio provides. *That time is now.* Before XM and Sirius invest millions of dollars in technology, and further raise consumer’s expectation about their ability to receive specific content, the FCC must clarify it authorized a national-only satellite radio service.

The 200-plus employees of Clear Channel radio in Cincinnati join with me in requesting the FCC support the NAB petition seeking a Declaratory Ruling to keep satellite radio a national-only service.

Respectfully submitted,

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